



# MICHIGANAUTOLAW

AUTO ACCIDENT ATTORNEYS

May 30, 2017

Michigan House of Representatives  
Transportation and Infrastructure Committee  
Chair: Rep. Triston Cole (R-Mancelona)

RE: Rep. Martin Howrylak (D-Troy)'s proposed Distracted Driving law,  
House Bill 4466

To the Honorable Committee, its Chair and Members:

My name is Steven M. Gursten. I am an attorney and head of Michigan Auto Law, a law firm whose 18 lawyers and 30 professional staff are dedicated to helping people who have been injured in car, truck or motorcycle accidents throughout Michigan. Our flagship office is located in Farmington Hills, but we also have local offices in Detroit, Ann Arbor, Sterling Heights and Grand Rapids. <http://www.michiganautolaw.com/>

I have the honor of appearing before this Committee today to talk about Rep. Howrylak's proposed Distracted Driving law in House Bill 4466 and to emphasize the urgent need for the Michigan Legislature to act to protect Michigan citizens from the dangers of distracted driving. <http://www.michiganautolaw.com/blog/2017/04/19/fines-points-distracted-driving/>

Statistics from the Michigan State Police Criminal Justice Information Center, which have previously been reported by the MSP and which were presented to this Committee on May 16, 2017, paint a scary, deadly and dangerous — but avoidable — picture:

- Fatalities from distracted driving-related auto accidents in Michigan increased approximately 50% from 2015 to 2016 (from 28 to 42 fatalities) and approximately 200% from 2014 to 2016 (from 14 to 42 fatalities).
- Injuries from Michigan automobile accidents involving distracted driving increased approximately 47% from 2015 to 2016 (from 3,472 to 5,104 injuries) and approximately 112% from 2014 to 2016 (from 2,401 to 5,104 injuries).
- Car crashes involved distracted driving in Michigan increased approximately 70% from 2015 to 2016 (from 7,516 to 12,787 crashes) and approximately 138% from 2014 to 2016 (from 5,353 to 12,787 crashes).

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Tragically, those statistics are consistent with the trends my fellow Michigan Auto Law auto accident attorneys and myself have been seeing in our practice:

Distracted driving, which has reached epidemic levels, is showing up more and more as the root cause of many of the car crash injury and death cases that I litigate. <http://www.michiganautolaw.com/blog/2017/05/17/gursten-wxyz-texting-driving-statistics-pedestrians/>

I applaud HB 4466 for its focus on dangerously (and too often deadly) distractions beyond just texting while driving (which is the only form of distracted driving that Michigan law currently bans for all drivers) and for its increased penalties.

However, I believe that more can — and must — be done.

In particular, I think that given the crash risk associated with distracted driving is similar to the crash risk associated with drunk driving, the penalties for distracted driving should be proportional to the current criminal penalties for drunk driving. <http://www.michiganautolaw.com/blog/2017/01/26/texting-and-driving/>

The penalties must fit the crime.

Today, people who would never drink and drive have no hesitation to take out their phones on the freeway and send a text to a friend. We need to do a better job educating the public on how dangerous distracted driving truly is, and the most effective way to do this is the same way we did it with drunk driving three decades ago.